

Message Text

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FOR EWT-GREGORY

E.O. 11652: XGDS-1

TAGS: ESTC, COCOM, CH

SUBJECT: JAPANESE PROPOSAL ON APPLICABILITY OF NOTE 4 -

IL 1565

REF: COCOM DOC (73) 1565/1

SUMMARY: GERMAN DEL LIFTED RESERVE ON JAPANESE PROPOSAL NOV 27.
UK CONDITIONED ITS AGREEMENT ON COMMITTEE'S ACCEPTANCE OF A
NOTE LIMITING TO EIGHT MONTHS VALIDITY OF PROPOSED NOTE 4
EXTENSION. JAPANESE DEL COUNTERED WITH SUGGESTION FOR CON-
CURRENT UNDERSTANDING THT REVIEW OF IL 1565 BE BEGUN IN
FOUR OR SIX MONTHS. DISCUSSION TO BE RESUMED DEC 4. END
SUMMARY

1. MEETING NOV 27 BEGAN WITH GERMAN DEL LIFTING RESERVE ON
JAPANESE PROPOSAL. UKDEL THEN RECORDED BRITISH RESPONSIVENESS
TO CD PROBLEM AND WILLINGNESS TO APPROACH IT IN SAME SPIRIT,
BUT VIEWING IT AS INTEGRAL PART OF ITEM AS A WHOLE. HIS
AUTHORITIES FELT COCOM SHOULD NOT COMMIT ITSELF TO A PREJUDGMENT
WHICH MIGHT MAKE MORE DIFFICULT A LATER RELAXATION
JUSTIFIED BY TECHNICAL PROGRESS IN THE EUROPEAN COMMUNIST
COUNTRIES. AT SAME TIME THEY APPRECIATED SHORT-TERM PROBLEM
POSED BY CD. THEY WERE PREPARED TO APPROVE JAPANESE PROPOSAL
BUT ONLY LONG ENOUGH FOR COMMITTEE TO EXAMINE 1565 AS A WHOLE.
IT SHOULD BE POSSIBLE TO MEASURE TIME GAP TO BE BRIDGED.

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IN MANNER SIMILAR TO THAT APPLIED WITH RESPECT TO ITEM 1520,

THEY PROPOSED A NOTE LIMITING VALIDITY OF NOTE EXTENSION TO EIGHT MONTHS. ASSUMING COMMITTEE BEGAN ITS REVIEW IN SIX MONTHS, AND ALLOWING ONE MONTH FOR REVISED 1565 TO TAKE EFFECT, EIGHT MONTHS SEEMED ABOUT RIGHT.

2. JAPANESE DEL (WHO HAD BEEN INFORMED OF UK FORMULA LAST WEEK) SAID HIS AUTHORITIES SHARED UK HOPE FOR EARLY COCOM REVIEW OF 1565, COMMENCING IN SIX MONTHS AT LATEST. BUT THEY FEARED THAT EIGHT MONTHS WOULD BE TOO SHORT TO BE SURE THAT THIS HOPE WOULD BE REALIZED; IN EFFECT IT LEFT ONLY ONE MONTH FOR REVIEW OF THE ITEM, AND NOTE MIGHT EXPIRE BEFORE REVISED ITEM COULD ENTER INTO FORCE. SO THEY ASKED UK TO AGREE TO THEIR PROPOSAL WITHOUT TIME LIMIT, BUT WITH CONCURRENT UNDERSTANDING THAT COMMITTEE WOULD STRIVE TO BEGIN 1565 REVIEW AT LATEST AFTER SIX MONTHS, AND -- IF HIS PROVED ACCEPTABLE TO ALL DELS -- ANOTHER CONCURRENT UNDERSTANDING THAT ACCEPTANCE OF JAPANESE PROPOSAL WOULD NOT PREJUDICE THEIR POSITION ON ITEM REVIEW.

3. ALTHOUGH DOUBTING THAT HIS AUTHORITIES COULD ACCEPT JAPANESE PROPOSAL WITHOUT TIME LIMIT, UKDEL FUND FUKUDA'S COUNTER-PROPOSAL INTERESTING. WITHOUT COMMITTING HIMSELF, HE EXPRESSED VIEW FOUR MONTHS WOULD BE PREFERABLE TO SIX AS TIME LIMIT FOR START OF REVIEW, SINCE IT WAS PART OF 1971 LIST REVIEW AND MUST BE FINISHED BEFORE COMMITTEE RECESSES NEXT JULY. BUT THIS TIME SCHEDULE HUNG, HE POINTED OUT, ON WHETHER ALL OTHER DELS, ESPECIALLY US, COULD ACCEPT IT. HE WITHHELD COMMENT ON SECOND PROPOSED CONCURRENT UNDERSTANDING (I.E., ACCEPTANCE NOT TO PREJUDICE POSITION ON ITEM) UNTIL ITS PRECISE MEANING COULD BE UNDERSTOOD.

4. CHAIRMAN THEN PROPOSED AND COMMITTEE AGREED TO CONTINUE DISCUSSION ON DEC 4, WITH ATTENTION TO FOLLOWING POINTS:

A) VALIDITY LIMIT TO BE ATTACHED TO JAPANESE PROPOSAL, AND IN WHAT FORM;

B) DATE TO BE FIXED FOR BEGINNING OF ITEM REVIEW.
IN PRELIMINARY TOUR OF TABLE, JAPANESE AGREED TO FOUR MONTHS IF IT WERE INCLUDED IN CONCURRENT UNDERSTANDING. FRENCH, GERMAN, CONFIDENTIAL

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CANADIAN AND ITALIAN DELS AGREED ALSO TO FOUR MONTHS. DUTCHMAN RESERVED PENDING INSTRUCTIONS. BELGIAN WAS ABSENT. UKDEL SAID HE WOULD WISH TO KNOW REACTION OF OTHER DELS ON TIME LIMIT FOR ITEM REVIEW AND MANNER OF RECORDING IT BEFORE DECIDING WHETHER TO WITHDRAW SUGGESTION FOR VALIDITY NOTE.

5. WHEN JAPANESE FIRST MADE HIS OFFER OF CONCURRENT UNDERSTANDINGS, IT WAS OFF RECORD, AND UK'S COMMENTS ON

IT WERE ALSO OFF RECORD. WHEN CHAIRMAN FORMULATED QUESTIONS FOR NEXT MEETING, HOWEVER, BOTH DELS AGREED TO PLACE OFFER AND COMMENTS ON RECORD.

6. ACTION REQUESTED: INSTRUCTIONS BY DEC 4 ON TWO QUESTIONS FOR DISCUSSION FORMULATE IN PARA 4(A) AND (B) ABOVE, INCLUDING DEPT'S PREFERENCES AS BETWEEN VALIDITY NOTE, AS PROPOSED BY UK, AND CONCURRENT UNDERSTANDINGS, AS SUGGESTED BY JAPANESE DEL.

7. IN ABSENCE OF ADVICE TO THE CONTRARY, WE PROPOSE TO REPORT FOREGING IN EXCON SERIES WHEN DRAFT RECORD OF DISCUSSION IS AVAILABLE.

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